

Santa Cruz County Sheriff's Office
Sheriff's Tobacco Prevention Program (STOPP)
Lieutenant Greg Lansdowne, August 22th, 2018

Santa Cruz County Code Chapter 5.60 identifies the tobacco retailing license scope, definitions, prohibited activities, training and education components, enforcement guidelines, and appeal hearing process.

Santa Cruz County Code Chapter 7.89 identifies the regulation of self-service sale of tobacco products scope, definitions, restrictions on self-service sales of tobacco products, and enforcement guidelines.

Tobacco Compliance Team:

The Tobacco Compliance team consists of one deputy sheriff (Tobacco Compliance Officer) who reports to the Community Policing Lieutenant, and a part-time Account Technician, who reports to the Administrative Services Manager.

The TCO is assigned to work Tuesday through Friday, 4/10 hour shifts with flexible work hours to allow for day and evening inspections and enforcement.

The Account Tech. reports to the Administrative Services Manager.

Tobacco Compliance Officer Responsibilities:

At Retail outlets in the unincorporated areas of the County

- Conduct inspections of tobacco retail outlets.
- Investigate and respond to complaints concerning tobacco outlets.
- Plan and deploy retail decoy operations
- Develop retail compliance seminars
- Develop retail tobacco awareness flyers

At Schools in the unincorporated areas of the County

- Partner with local schools to provide tobacco awareness, education and enforcement to those students.
- Develop a school-based tobacco awareness module with monthly presentations
- Develop and implement an enforcement plan, in coordination with school administrators and Sheriff's School Resource Officers that targets locations where minors are present

Multi-Agency Cooperation

- Develop a community task force in conjunction with other willing law enforcement agencies, school administrators and community organizations involved in tobacco policy work.
- Work in conjunction with the Santa Cruz County Tobacco Education Coalition, a Health Services Agency program

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- Work in conjunction with the Alcohol Compliance Officer when necessary to perform joint decoy operations
- Represent the County in any appeals or enforcement actions that result from the actions authorized by County Code sections 5.60 and 7.89

Account Tech. Responsibilities:

- Record and transmit reports regarding compliance, citations, warnings, and other enforcement-related activity completed by the TCO
- Record and report statistics related to STOPP's educational awareness programs
- Schedule retail compliance seminars and school-based awareness modules
- Measure outcomes related to tobacco use among minors

Inspection and Compliance with retailers:

The TCO will conduct at least two compliance checks per week on tobacco retailers currently licensed with the Santa Cruz County Environmental Health Services Agency, in the County area. The goal will be to achieve and maintain a ninety-five percent MLA (minimum legal age) compliance by retailers by the year 2020.

The TCO will work with tobacco retailers to educate them using bi-annual compliance seminars. These seminars will educate retailers about state tobacco laws and to dispel common fallacies about tobacco sales and enforcement.

Education and Partnering with local schools:

The TCO will enforce state MLA laws on and around school campuses. The TCO will partner with school administrators and Santa Cruz Sheriff's Office School Resource Officers to conduct at least three tobacco-related enforcement operations per week on and around school campuses.

The TCO will develop a school-based awareness module that will address all aspects of tobacco use, including the short and long-term negative effects, social influences, negative social consequences, peer norms and peer pressure, resistance and refusal skills, and media literacy as it relates to tobacco marketing and advertising. The TCO will conduct monthly modules with partnering schools. The content of these modules will be varied so the most intense aspects are directed at middle school students, with reinforcement throughout high school. The TCO will prioritize schools with a prevalence of low-socioeconomic factors.

Investigation and Enforcement:

The TCO will conduct investigations, decoy operations and issue citations to tobacco retailers for violations of 308(a)(1) of the California Penal Code and violations of Santa Cruz County Code Chapters 5.60 and 7.89.

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The TCO will work with the Santa Cruz County Health Officer or designee, regarding any violations by the tobacco retailer. The Santa Cruz County Health Officer can suspend or revoke a tobacco license based on a finding of violations.

Vehicles:

The TCO will be assigned a marked patrol vehicle. The Community Policing Lieutenant will ensure that the vehicle is properly maintained, taken care of and is responsible for facilitating replacement vehicles when needed. The Community Policing Lieutenant will confirm assigned vehicle use agreements are completed for new transfers.

Briefing and Communication:

The TCO will work closely with the Santa Cruz County Sheriff's Office School Resource Officers and the school administrators. The TCO shall maintain communication with deputies assigned to the Patrol Division to coordinate law enforcement and community policing activities.

The TCO should attend the quarterly Santa Cruz County Tobacco Education Coalition meetings.

Training:

The TCO will participate in the in-service training provided by the Sheriff's Office each month. The TCO will also attend trainings specific to the tobacco compliance enforcement assignment approved by the Community Policing Lieutenant.

Assist Outside Department:

A request to assist another agency shall be approved by the Community Policing Lieutenant. Call back must also be approved by the on-call Lieutenant.

Activity Reports, Statistical Data and Measurable Outcomes:

The Account Tech. will prepare a monthly report containing the following data:

- Number of inspections conducted
- Number of complaints investigated
- Number of decoy or other operations conducted
- Number of presentations to schools
- Number of trainings for retailers
- Number of outlet warnings and any citations
- Number of MLA (Minimum Legal Age) citations or arrests

Statistical information may be used in annual budget documents, the Sheriff's Office Monthly Statistics Report, and Sheriff's Office annual report.

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The Account Tech. will track statistics in the unincorporated area of Santa Cruz County for the following:

- MLA (Minimum Legal Age) cases

A quarterly progress report will be submitted to the DOJ. This report will describe the progress made by providing the above described statistical data. These reports are due on April 15th, July 15th, October 15th, and January 15th.

An annual report containing the activity and statistical data shall be prepared for presentation to the Board of Supervisors.

Revenue:

The TCO will use special funds from the investigations lieutenant when money is needed for an underage tobacco purchasing operation. The TCO will sign for all money, will keep all receipts and return the receipts and any unused money back to the investigations lieutenant. The TCO will also complete a special funds form documenting the reason and amount of money used for any operation.

Retention of Tobacco Retailer Certificates, Warnings, Citations, and Hearing Documents:

An electronic copy of licenses and certificates for all tobacco retail businesses will be kept in the TCO project file on the common drive. The Account Tech. will retain a list of the status of certificates, certificate revocations, hearings, and citations. These documents will be retained for the period required to be in compliance with the County of Santa Cruz document retention standard.

Administrative Appeal Hearings:

Any and all appeals for citations or violations from Santa Cruz County Code Chapters 5.60 and 7.89 are conducted through the Santa Cruz County Health Services Agency. The TCO will work with the Health Services Agency as necessary for these proceedings.

Appeals for citations of California Penal Code Section 308(a)(1) will be handled through the Court Process and through the District Attorney's Office upon their determination for filing and prosecution for a violation.

The Community Policing Lieutenant will be available to assist the County Health Officer on all administrative appeal hearings relating to cases from the Sheriff's Tobacco Prevention Program. An appeal hearing form will be designed and used to document notification dates and times, document the hearing and document the final decision made by the County Health Officer. Appeal hearing papers will be digitally scanned and retained as required by the County of Santa Cruz document retention rules.